

CHARLES PHILIPS, JR. Sworn for the State. On or about March 6th, 1914, I called at the tower for an interview with Leo M. Frank, and questioned him about the affidavit of Mrs. Ethel Harris Miller. He discussed the matter at length and in the course of his conversation said that sometime after the trial a friend of his told him that Mrs. Miller, formerly Miss Harris, saw him on the corner of Whitehall and Alabama Streets, on the 26th of April. "The moment it was mentioned to me", said Frank, "the whole occurrence flashed over my mind and I remembered that she bowed to me and that I tipped my hat. Although I had naturally racked my memory for every happening on that day I had not remembered seeing Mrs. Miller until the matter was mentioned to me after the trial. When the matter was mentioned to me, however, I then remembered how she was dressed and described her costume to my friend who said: 'That's right, she was wearing clothes of that kind.'"